

**OPINIONS AND DECLARATIONS
RENDERED BY THE INTER-
NATIONAL COMMISSION ON
ZOOLOGICAL NOMENCLATURE**

Edited by

FRANCIS HEMMING, C.M.G., C.B.E.

Secretary to the Commission

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OPINION 161

Suspension of the rules for *Argynnis* Fabricius,
1807 (Class Insecta, Order Lepidoptera)

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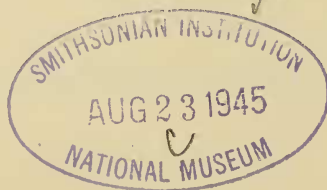
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Ref.
OPINION 161.

SUSPENSION OF THE RULES FOR *ARGYNNIS* FABRICIUS, 1807 (CLASS INSECTA, ORDER LEPIDOPTERA).

SUMMARY.—Under suspension of the rules it is hereby declared (i) that *Argyreus* Scopoli, 1777 (type : *Papilio niphe* Linnaeus, 1767 = *Papilio hyperbius* Linnaeus, 1763) is not to be substituted for *Argynnis* Fabricius, 1807 (type : *Papilio paphia* Linnaeus, 1758) ; (ii) that *Argynnis* Fabricius, 1807, is therefore valid ; but (iii) that this decision will not affect¹ the validity of *Argyreus* Scopoli, 1777, in so far as that name is otherwise available,¹ in the event of it being found desirable on taxonomic grounds to place *Papilio niphe* Linnaeus and *Papilio paphia* Linnaeus in different genera. The name *Argynnis* Fabricius, 1807 (Class Insecta, Order Lepidoptera), with type *Papilio paphia* Linnaeus, 1758, is hereby added to the *Official List of Generic Names in Zoology* as Name No. 609.

I.—THE STATEMENT OF THE CASE.

This case was submitted to the International Commission on Zoological Nomenclature in a letter dated 23rd February 1934, in which the Council of the Royal Entomological Society of London drew attention to the conclusions reached by the Lepidoptera Sub-Committee² of the Society's Committee on Generic Nomenclature,³ regarding the generic names of certain of the British Lepidoptera, in regard to which both the Lepidoptera Sub-Committee and the Committee on Generic Nomenclature were of the opinion that the strict application of the rules would clearly result in greater confusion than uniformity. The Society enclosed a copy of the Report of the Lepidoptera Sub-Committee (published that day as Part 2 of the *Generic Names of British Insects*), to which was attached a paper by Commissioner Francis Hemming, in which was given a full statement in regard to each of the names

¹ On the question of the availability of Scopoli's *Introductio ad Historiam naturalem*, in which *Argyreus* Scopoli was first published, see *Opinion* 160 (summary and paragraphs 16(d) and (e) and 17 on pp. 293 and 301-302 above).

² This Sub-Committee was then composed as follows :—Mr. Francis Hemming (*Chairman*), Mr. N. D. Riley, and Mr. W. H. T. Tams.

³ This Committee was then composed as follows :—Sir Guy Marshall (*Chairman*), Dr. K. G. Blair, Mr. Francis Hemming, Dr. O. W. Richards, Mr. N. D. Riley, and Professor W. A. F. Balfour-Browne (*Secretary*).

in question. One of these names was *Argynnis* Fabricius, 1807 (*Mag. f. Insektenk.* (Illiger) 6 : 283).

2. The following is an extract from the paper referred to above of the passage relating to this genus :—

ARGYNNIS Fabricius

Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 283

Latreille, 1810, *Consid. gén. Anim. Crust. Arach. Ins.* : 440

TYPE (fixed by Latreille) = *Papilio paphia* Linnaeus, 1758

Note 1.—The name *Argynnis* Fab., 1807 (type *Papilio paphia* Linn.) is a perfectly valid name in the sense (a) that it is not a homonym of any older generic name *Argynnis* and (b) that there is no older valid generic name having the same species as its type. Unfortunately in 1928 Reuss selected (*Int. ent. Z.* 22 : 146) *Papilio niphe* Linn., 1767 (= *Papilio hyperbius* Linn., 1763) as the type of *Argyreus* Scop., 1777 (*Intr. Hist. nat.* : 431). This fixation is valid under the International Code of Zoological Nomenclature and it follows therefore that if, as most systematists agree, *Papilio paphia* Linn. (the type of *Argynnis* Fab.) is congeneric with *Papilio niphe* Linn., the name *Argynnis* Fab. should be sunk as a synonym of *Argyreus* Scop.

During the whole of the nineteenth century, the "Fritillaries" were universally known by the generic name *Argynnis* Fab., and the great majority both of the Palaearctic and Nearctic species were originally described under that name. It is only in recent years that an effort has been made to substitute the name *Dryas* Hb., 1806, for *Argynnis* Fab., 1807, but this effort never won any considerable degree of support in view of the unsatisfactory character of the *Tentamen* of Hübner in which this name appeared. Since the publication of *Opinion 97* of the International Commission on Zoological Nomenclature declaring against the validity of the *Tentamen*, the name *Dryas* Hb. (as applied to *Papilio paphia* Linn., which would have been its type, if the *Tentamen* had been valid) has been dropped and the name *Argynnis* Fab. has again been universally applied both in Europe and America to *Papilio paphia* Linn. and the species congeneric therewith.

No attention has been paid by systematists to Reuss's effort to bring forward the name *Argyreus* Scop., on the ground, no doubt, that to use this name in place of *Argynnis* Fab. would cause an entirely unnecessary disturbance in existing practice and would create far more confusion than would a suspension of the rules in this case. The matter should not, however, be allowed to rest where it is, and the present universal, but tacit and irregular, acceptance of *Argynnis* Fab. in preference to the older *Argyreus* Scop. should be regularised as soon as possible.

3. The paper from which the foregoing passage is an extract concluded with the hope that the Lepidoptera Sub-Committee would join in reporting to the Committee on Generic Nomenclature of the Royal Entomological Society of London that it was highly desirable that in the exercise of the plenary power conferred upon them by the International Congress of Zoology, the International Commission on Zoological Nomenclature should as soon as possible take the steps laid down by the Congress for the promulgation of an *Opinion* to the following effect :—

The name *Argynnis* Fab., 1807 (type *Papilio paphia* Linn., 1758) is hereby added to the *Official List of Generic Names*. The name *Argyreus* Scop., 1777 (type *Papilio niphe* Linn., 1767) is, therefore, not to be substituted for *Argynnis* Fab., 1807, though it is available for use for *Papilio niphe* Linn., 1767, by such systematists as regard that species as generically distinct from *Papilio paphia* Linn.

4. These conclusions were concurred in by the Lepidoptera Sub-Committee by whom they were submitted to the Committee on Generic Nomenclature. The latter body endorsed the view of the Sub-Committee and recommended the Council of the Royal Entomological Society of London to approach the International Commission in the sense indicated. It was in accordance with this recommendation that the Council of the Society addressed to the Commission the letter referred to in paragraph 1 above.

II.—THE SUBSEQUENT HISTORY OF THE CASE.

5. Before the International Commission had time to take any action on this case, they received a letter on the same subject (dated 17th May 1934) from Dr. J. McDunnough, Chief of the Division of Systematic Entomology, Entomological Branch, Department of Agriculture, Ottawa, from which the following is an extract :—

I am enclosing signed copies of a short note which is appearing in the current number of the "Canadian Entomologist." You will see by this that the *large majority* of active systematic Lepidopterists advocate the fixing of certain genotypes for the four genera mentioned in the note and I am sure also that the large proportion of continental entomologists are in favour of such procedure. . . .

6. The following is an extract from the note furnished by Dr. McDunnough :—

ON THE STABILIZING OF FOUR GENERIC NAMES (Lepid. Rhopalocera)

To students of the involved generic nomenclature of the Palaearctic and Nearctic Diurnal Lepidoptera, the recent publication of the "Generic Names of British Rhopalocera" will prove of great interest. This pamphlet has been prepared by Mr. Francis Hemming at the request of the Royal Entomological Society of London, and includes full details regarding type fixation and synonymy. Appended to the list is the first report of the Lepidoptera Sub-committee to the main committee, and following Mr. Hemming's suggestions, the suspension of the Law of Priority in four cases is advocated by this sub-committee, the ground being that strict application of the rules would cause serious, and quite unnecessary, disturbance in existing practice.

The genera involved, with their proposed genotypes, are as follows :—

Argynnis Fabr. (*P. paphia* Linn.); . . .

Welcoming any action that would assist in stabilizing generic Nomenclature, the undersigned lepidopterists express their full agreement with the recommendations of the above sub-committee and would urge the adoption of this report.

- J. McDunnough, Entom. Br. Dept. of Agriculture, Ottawa, Canada. May 15, 1934.
 Jessie D. Gunder, 310 Linda Vista Ave., Pasadena, Calif. Apr. 13, 1934.
 John A. Comstock, Los Angeles Museum, Exposition Park, Los Angeles, Calif. Apr. 26, 1934.
 Wm. T. M. Forbes, Dept. of Entomology, Cornell U., Ithaca, N.Y. Apr. 17, 1934.
 Roswell C. Williams, Jr., Acad. Nat. Sciences, 19th & Race Sts., Philadelphia, Pa. Apr. 17, 1934.
 E. Irving Huntingdon, 115 East 90th St., New York, N.Y. April 21, 1934.
 Cyril F. dos Passos, Washington Corners, Mendham, N.J. Apr. 23, 1934.
 Frank E. Watson, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.
 C. H. Curran, Amer. Mus. Nat. Hist. N.Y. City. Apr. 23, 1934.
 Ernest Bell, 150-17 Roosevelt Ave., Flushing, N.Y. Apr. 24, 1934.
 Alyach B. Klots, College of the City of New York, Dept. of Biology. Apr. 24, 1934.

7. As a first step, the International Commission decided to invite the International Committee on Entomological Nomenclature to report on the present application. This case was accordingly considered by the International Committee at their meeting held at Madrid in the second week of September 1935 during the Sixth International Congress of Entomology. After careful consideration, the International Committee agreed to recommend the International Commission on Zoological Nomenclature to take such action under their plenary powers as might be necessary to secure that in no circumstances should the name *Argyreus* Scopoli, 1777 (type *Papilio niphe* Linnaeus, 1767) replace the name *Argynnis* Fabricius, 1807 (type *Papilio paphia* Linnaeus, 1758). This, and other, recommendations adopted by the International Committee on Entomological Nomenclature at their Madrid meeting were confirmed by the Sixth International Congress of Entomology at the Concilium Plenum held on 12th September 1935.

III.—THE CONCLUSION REACHED BY THE INTERNATIONAL COMMISSION.

8. When the International Commission on Zoological Nomenclature met at Lisbon immediately after the close of the Sixth International Congress of Entomology in September 1935, they

found themselves confronted with a large number of cases involving proposals for the suspension of the rules, in respect of some of which advertisements had not been published or, if published, had not been published for the prescribed period, owing to the illness of Dr. C. W. Stiles, Secretary to the Commission, or for other causes. In these circumstances, the Commission decided at their meeting held on the morning of Monday, 16th September 1935 (Lisbon Session, 2nd Meeting, Conclusion 9), that immediate consideration should be given to all cases submitted to the Commission that, in their judgment, had reached the stage at which a decision could properly be taken; that the By-Laws of the Commission should be suspended during the Lisbon Session to such extent as might be necessary to give effect to this decision; and that, in so far as this procedure involved taking decisions "under suspension of the rules" in cases where the prescribed advertisement procedure had not been complied with, the cases in question should be duly advertised as soon as might be practicable after the conclusion of the Lisbon Congress and that no *Opinion* should be rendered and published thereon until after the expiry of a period of one year from the date on which the said advertisement was despatched to the prescribed journals for publication. The case of the generic names *Argynnis* Fabricius, 1807, and *Argyreus* Scopoli, 1777, was one of the cases in question and was accordingly dealt with by the Commission under the above procedure.

9. This case was considered by the International Commission later in the course of the meeting referred to above (Lisbon Session, 2nd Meeting, Conclusion 22), when the Commission agreed⁴ :—

(a) to "suspend the rules" in the case of the following generic names :—

.....
(iii) *Argynnis* Fabricius, 1807, *Mag. f. Insektenk.* (Illiger) 6 : 283

.....
(d) to declare that the generic name *Argyreus* Scopoli, 1777, *Intr. Hist. nat.* : 431 (type : *Papilio niphe* Linnaeus, 1767, *Syst. Nat.* (ed. 12) 1 (2) : 785) (= *Papilio hyperbius* Linnaeus, 1763, *Amoen. Acad.* 6 : 408) is not to be substituted for *Argynnis* Fabricius, 1807 (type : *Papilio paphia* Linnaeus, 1758, *Syst. Nat.* (ed. 10) : 481); that the name *Argynnis* Fabricius, 1807, is therefore valid; but that this decision would not affect the validity of the name *Argyreus* Scopoli, 1777, in so far as it is otherwise available,⁵ in the event of it being found desirable on taxonomic grounds to place *Papilio niphe* Lin-

⁴ Only those portions of Conclusion 22 which refer to the present case are here quoted. For the full text of Conclusion 22, see 1943, *Bull. zool. Nomencl.* 1 : 20-23.

⁵ See footnote 1.

naeus (= *Papilio hyperbius* Linnaeus) and *Papilio paphia* Linnaeus in different genera;

- (i) to add the generic names . . . *Argynnis* Fabricius, 1807, . . . to the *Official List of Generic Names*, with the type as indicated above;
- (l) to render *Opinions* in the sense of (a) to (l) above.

10. The foregoing decisions were embodied in paragraph 28 of the report which at their meeting held on the morning of Wednesday, 18th September 1935, the Commission (Lisbon Session, 5th Meeting, Conclusion 6) unanimously agreed to submit to the Twelfth International Congress of Zoology. That report was unanimously approved by the Section on Nomenclature at its joint meeting with the International Commission held on the afternoon of the same day. It was thereupon submitted to the Twelfth International Congress of Zoology by which it was unanimously approved and adopted at the Concilium Plenum held on the afternoon of Saturday, 21st September 1935, the last day of the Congress.

11. In accordance with the decision taken by the Commission at Lisbon in regard to their procedure at that Session (paragraph 8 above), this case was duly advertised in 1936 in two or more of the journals named in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, by which the said International Congress conferred upon the International Commission on Zoological Nomenclature plenary power to suspend the rules as applied to any given case where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity.⁶ In the period that has elapsed since the advertisement in the said journals of the proposed suspension of the rules in the present case, no communication of any kind has been addressed to the International Commission objecting to the issue of an *Opinion* in the terms proposed.

12. The present *Opinion* was concurred in by the twelve (12) Commissioners and Alternates present at the Lisbon Session of the International Commission, namely :—

Commissioners :—Calman; Hemming; Jordan; Pellegrin; Peters; and Stejneger.

⁶ See Declaration 5 (1943, *Opinions and Declarations rendered by the International Commission on Zoological Nomenclature* 1 : 31-40).

Alternates :—do Amaral *vice* Cabrera; Ohshima *vice* Esaki; Bradley *vice* Stone; Beier *vice* Handlirsch; Arndt *vice* Richter; and Mortensen *vice* Apstein.

13. The present *Opinion* was dissented from by no Commissioner or Alternate present at the Lisbon Session. Nor since that Session has any Commissioner who was neither present on that occasion nor represented thereat by an Alternate indicated disagreement with the conclusions then reached by the Commission in this matter.

14. The following five (5) Commissioners who were not present at Lisbon nor represented thereat by Alternates did not vote on the present *Opinion* :—

Bolivar y Pieltain; Chapman; Fantham; Silvestri; and Stiles.

15. At the time when the vote was taken on the present *Opinion*, there was one (1) vacancy in the Commission consequent upon the death of Commissioner Horváth.

IV.—AUTHORITY FOR THE ISSUE OF THE PRESENT *OPINION*.

WHEREAS the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913, adopted a Resolution conferring upon the International Commission on Zoological Nomenclature, acting for the International Congress of Zoology, plenary power to suspend the rules as applied to any given case, where, in the judgment of the Commission, the strict application of the rules would clearly result in greater confusion than uniformity, provided that not less than one year's notice of the possible suspension of the rules as applied to the said case should be given in two or more of five journals named in the said Resolution, and provided that the vote in the Commission was unanimously in favour of the proposed suspension of the rules; and

WHEREAS the suspension of the rules is required to give valid force to the provisions of the present *Opinion* as set out in the summary thereof; and

WHEREAS not less than one year's notice of the possible suspension of the rules as applied to the present case has been given to two or more of the journals referred to in the Resolution adopted by the Ninth International Congress of Zoology at its meeting held at Monaco in March 1913; and

WHEREAS the vote in the Commission at their Lisbon Session was unanimously in favour of the issue of an *Opinion* in the terms of the present *Opinion*;

NOW, THEREFORE,

I, FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, acting in virtue of all and every the powers conferred upon me in that behalf by reason of holding the said Office of Secretary to the International Commission, hereby announce the said *Opinion* on behalf of the International Commission, acting for the International Congress of Zoology, and direct that it be rendered and printed as *Opinion* Number One Hundred and Sixty One (*Opinion* 161) of the said Commission.

In faith whereof I, the undersigned FRANCIS HEMMING, Secretary to the International Commission on Zoological Nomenclature, have signed the present *Opinion*.

DONE in London, this twenty third day of May, Nineteen Hundred and Forty Three, in a single copy, which shall remain deposited in the archives of the International Commission on Zoological Nomenclature.

*Secretary to the International Commission
on Zoological Nomenclature.*

FRANCIS HEMMING

THE PUBLICATIONS OF THE COMMISSION.

(obtainable at the Publications Office of the Commission at 41, Queen's Gate, London, S.W.7.)

Bulletin of Zoological Nomenclature.

This journal has been established by the International Commission as their Official Organ in order to provide a medium for the publication of :—

- (a) proposals on zoological nomenclature submitted to the International Commission for deliberation and decision;
- (b) comments received from, and correspondence by the Secretary with, zoologists on proposals published in the *Bulletin* under (a) above; and
- (c) papers on nomenclatorial implications of developments in taxonomic theory and practice.

The *Bulletin* was established in 1943, in which year three Parts were published. Part 4 was published in 1944. Parts 5 and 6 are in the press.

Opinions and Declarations Rendered by the International Commission on Zoological Nomenclature.

The above work is being published in three volumes concurrently, namely :—

Volume 1. This volume will contain *Declarations* 1-9 (which have never previously been published) and *Opinions* 1-133 (the original issue of which is now out of print). Parts 1-20 (containing *Declarations* 1-9 and *Opinions* 1-11) have now been published. Further Parts will be published shortly.

Volume 2. This volume will be issued in 52 Parts, comprising all the decisions taken by the International Commission at their meeting at Lisbon in 1935, namely *Declarations* 10-12 (with Roman pagination) and *Opinions* 134-181 (with Arabic pagination). Part 52 will contain the index and title page of the volume. Parts 1-35, containing *Declarations* 10-12 and *Opinions* 134-165, have now been published. Further Parts will be published shortly.

Volume 3. This volume, which commenced with *Opinion* 182, will contain the *Opinions* adopted by the International Commission since their meeting at Lisbon in 1935. Parts 1-5 (containing *Opinions* 182-186) have now been published. Further Parts will be published as soon as possible.

APPEAL FOR FUNDS

The International Commission appeal earnestly to all institutions and individuals interested in the development of zoological nomenclature to contribute, according to their means, to the Commission's Special (Publications) Fund. Of the total sum of £1,800 required to enable the Commission to issue all the publications now awaiting printing, donations amounting to £819 8s. 7d. were received up to 31st December 1944. Additional contributions are urgently needed in order to enable the Commission to continue their work without interruption. Contributions of any amount, however small, will be most gratefully received.

Contributions should be sent to the International Commission at their Publications Office, 41, Queen's Gate, London, S.W. 7, and made payable to the "International Commission on Zoological Nomenclature or Order" and crossed "Account payee. Coutts & Co."